



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



286088

REPLY TO THE ATTENTION OF

MEMORANDUM

NOV 09 2007

SUBJECT: **ACTION MEMORANDUM:** Request for a Time-Critical Removal Action at the Greenwood Avenue Site, located in Chicago, Cook County, Illinois (B5KT).

FROM: Mike Ribordy, OSC
Emergency Response Section #2

TO: Linda M. Nachowicz, Chief
Emergency Response Branch #2

THRU: Michael Harris, Chief
Emergency Response Section #2

I. PURPOSE

The purpose of this memorandum is to request and document your approval to expend up to \$49,881 to abate an imminent and substantial threat to public health, welfare, and to the environment at the Greenwood Avenue Site (Site) located in the City of Chicago, Cook County, Illinois. This response action is necessary to mitigate the imminent and substantial threat to public health, welfare, and the environment posed by the presence of hazardous waste and hazardous substances in drums, containers, and soils at the Site.

The response action proposed herein will mitigate the Site conditions through the identification and removal of hazardous substances in drums, containers, and associated contaminated soils. This response action will be conducted in accordance with Section 104(a)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 USC §9604(a)(1) to abate or eliminate the immediate threat posed to public health and/or the environment by the presence of abandoned hazardous wastes. This removal is considered to be time-critical. The project will require an estimated 5 working days to complete.

There are no nationally significant or precedent setting issues associated with the Greenwood Avenue Site. The Site is not on the National Priorities List (NPL).

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID# ILN000510239

A. Physical location and Site Characteristics

The Greenwood Avenue Site is located at 8849-59 South Greenwood Avenue in Chicago, Cook County, Illinois 60619. The Site consists of an abandoned single story manufacturing facility in a dilapidated state. The yard area to the rear of the facility is unsecured. A loading dock area at the rear of the building contains approximately twenty-four 55-gallon drums. This area is secured by a chain-link fence with a locked gate. An unsecured cinder block structure located immediately adjacent to the loading dock fence contained several 5-gallon pails and numerous small miscellaneous containers. Approximately 5 cubic yards of pulverized asbestos-containing floor tile waste is present in the yard at the rear of the facility.

The geographical coordinates for the Site are: latitude 41.734272° N, and longitude 87.597343° W. The Site is surrounded by a warehousing district to the north and east, railroad tracks to the west, and a residential neighborhood approximately 100 feet to the south.

B. Environmental Justice Analysis

According to the Region 5 Superfund Environmental Justice Analysis for Illinois, the low income percentage is 27% or greater and the minority percentage is 32%. To meet the Environmental Justice (EJ) concern criteria, the area within one mile of the Site must have a population that is twice the state low income and/or twice the state minority percentage. That is, the area must be at least 54% low income and/or 64% minority. There are approximately 32,551 people who live within one mile of the Site. The minority population is 99% and the low income population is 42%. Therefore, this Site meets the Region's EJ criteria based on demographics as identified in Region 5's "Interim Guidelines for Identifying and Addressing a Potential EJ Case", (June, 1998) (See Attachment 2).

C. Site Background and Site Evaluation

On March 15, 2007, the Chicago Department of the Environment (Chicago DOE) discovered the abandoned Site while investigating a complaint at a nearby location. Besides the twenty-four 55-gallon drums in the dock area, the

miscellaneous containers in the cinder block structure, and the asbestos-containing tiles, there were five semi-trailers located at the rear of the property. One of the trailers contained several totes and 55-gallon drums. The totes appeared to be empty except for one tote with a trace amount of liquid. Four of the drums were determined to be partially full. The remaining 11 drums were not accessible. On March 23, 2007, the Chicago DOE returned to the Site and observed trespassers removing scrap metal from the property.

On April 10, 2007, the Chicago DOE referred the Greenwood Site to U.S. EPA for a time-critical removal assessment and a possible removal action to abate the hazards at the Site.

The Chicago DOE conducted additional inspections of the Site in May and June, 2007, and found the back door to the facility forced open and cardboard had been put over the barbed wire fence to permit entry into the loading dock area where the drums were being stored.

On August 20, 2007, U.S. EPA mobilized its Superfund Technical Assessment and Response Team (START) contractor to the Site to conduct a Site walkthrough. The trailer with the totes and drums was present at the back of the facility. Approximately twenty-four 55-gallon drums were present in the loading dock area of the facility. Numerous miscellaneous containers were present in the loading dock area and the cinder block building at the rear of the facility.

On August 23, 2007, U.S. EPA and START returned to the Site to perform a Site assessment. The Site assessment included documenting current Site conditions, taking inventory of containers and drums, collecting drum samples and performing laboratory chemical analysis. At this time, the trailer with the totes and drums was no longer present at the Site. U.S. EPA collected 6 samples from the 24 drums in the loading dock area. Another sample was collected from the presumed asbestos-containing floor tile material at the back of the facility. Analytical results showed that two of the six samples exhibited the characteristic of ignitability. Samples also contained hazardous constituents including acetone, chromium, xylenes, ethylbenzene, and toluene. The sample of the floor tile material contained asbestos.

**III. THREATS TO PUBLIC HEALTH, WELFARE, OR TO THE ENVIRONMENT,
AND STATUTORY AND REGULATORY AUTHORITIES**

The conditions present at the Greenwood Avenue Site constitute an imminent and substantial threat to the public health, welfare, or the environment based upon the factors set forth in Section 300.415(b)(2) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), as amended, 40 CFR Part 300. These criteria include the following identified below (check applicable):

☒ YES ☐ NO i. *Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants.*

The drums are abandoned and the Site has no security and could be accessed by the public with limited effort. Chicago DOE has documented trespassers entering the buildings and loading dock area. Field observations made during the Site assessment indicate the presence of uncontrolled hazardous substances at the abandoned facility.

In addition, analytical results show that friable asbestos (5% and 10% chrysotile) is present outside the Site building on the ground and adjacent to the back courtyard. The friable asbestos is continuously being exposed to the ambient air and the potential exists for the asbestos to become airborne. Airborne friable asbestos is an inhalation hazard and is known to cause fibrotic scarring of lung tissue, potentially leading to asbestosis, mesothelioma, and lung cancer. Asbestos is regulated under the Toxic Substance Control Act and under the Clean Air Act. The potential to be exposed to any airborne asbestos containing material (ACM) exists due to proximity of city streets, trespassers, residents, and employees from adjacent businesses.

☐ YES ☒ NO ii. *Actual or potential contamination of drinking water supplies or sensitive ecosystems.*

☒ YES ☐ NO iii. *Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release.*

This factor is present at the Site due to the documented presence of nearly 30 drums on the property. Abandoned waste drums were documented to contain hazardous waste and were in various stages of

deterioration. Based upon laboratory analyses and container labels, hazardous substances, classified by 40 CFR 302.4, exist on Site and are contained in 55-gallon drums and smaller containers in varying condition. These hazardous substances include acetone, chromium, xylenes, ethylbenzene, and toluene. Several of the drums contain hazardous wastes as defined by the Resource Conservation and Recovery Act (RCRA) by Waste Code D001 (characteristic of ignitability). Pursuant to 40 CFR 261.22, "a solid waste exhibits the characteristic of ignitability if a ... sample has the following properties...a liquid...and has flash point less than 140°F..."

Because the facility is abandoned, contingencies and precautions to prevent an uncontrolled release of potentially hazardous substances from the Site are limited.

☒ YES ☐ NO iv. *High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate.*

ACM has been documented scattered on the ground at the back of the facility. Much of the floor tile has been pulverized to a fine powder. There are several pathways by which these asbestos fibers can become entrained in air leading to inhalation exposures.

☒ YES ☐ NO v. *Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released*

Wind, particularly during dry summer months, can lead to the migration of fine asbestos fibers from contaminated surface soils. Rainfall and snow melt would also tend to wash the fibers off of the Site onto nearby streets and sewers where they could also become airborne.

The drums are located in open areas and exposed to the affects of weather. Cold temperatures can exacerbate the poor condition of the drums through freezing and thawing. In addition, high temperatures can easily exceed 68° F, increasing the chance for ruptures of the drum by causing them to pressurize and bulge, thereby increasing the possibility of fire or explosion.

☒ YES ☐ NO vi. *Threat of fire or explosion*

This threat is present at the Site due to the presence of flammable and combustible waste streams contained in drums and other smaller containers. Ignitable wastes (D001) were confirmed to be present on Site with flashpoints ranging from 102 °F to 109 °F (ignitable characteristic). A fire or explosion at the facility could release toxic fumes as a result of combustion or incomplete combustion of the hazardous materials present and would cause migration of fire runoff to adjacent residential areas and could endanger emergency personnel responding to a fire or explosion.

☒ YES ☐ NO vii. *The availability of other federal or state response mechanisms to respond to the release.*

Neither local authorities or the Illinois Environmental Protection Agency (Illinois EPA) has sufficient funds to conduct cleanup activities at the Site. Therefore, the City of Chicago has requested U.S. EPA's assistance in addressing the Site concerns.

☐ YES ☒ NO viii. *Other situations or factors that may pose threats to public health or welfare of the United States or the environment.*

IV. ENDANGERMENT DETERMINATION

Given the Site conditions, the nature of the suspected hazardous substances on-site, and the potential exposure pathways described in Sections II and III above, actual or threatened releases of hazardous substances from this Site, if not addressed by implementing the response actions selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, welfare, or the environment.

V. PROPOSED ACTIONS & ESTIMATED COSTS

1. Proposed Action Description

The OSC has proposed the following proposed immediate response actions to mitigate threats posed by the presence of hazardous and ignitable substances at the Greenwood Avenue Site:

- Develop and implement a Site health and safety plan;

- Provide site security measure and restriction to the hazardous substances on Site;
- Secure, stage, sample, and characterize all wastes in drums, containers and soils;
- Transport and dispose of all hazardous wastes, pollutants and contaminants at a U.S. EPA approved facility in accordance with U.S. EPA off-site rule 40 CFR 300.440;
- Analytical/Confirmation samples.

The removal action will be conducted in a manner not inconsistent with the NCP. The OSC has initiated planning for provisions of post-removal site control consistent with the provisions of Section 300.415(1) of the NCP. Elimination of all surface threats is, however, expected to minimize the need for post-removal site control.

The response actions described in this memorandum directly address actual or threatened releases of hazardous substances, pollutants, or contaminants at the Site which may pose an imminent and substantial endangerment to public health and safety and the environment. These response actions do not impose a burden on the affected property disproportionate to the extent to which that property contributes to the conditions being addressed.

Removal activities require approximately 5 on-site working days to complete.

2. Estimated Costs

The estimated costs for this removal action are as follows:

ERRS	\$ 37,500
START	\$ 5,875
Contingency (15%)	\$ 6,506
Total	\$ 49,881

3. Applicable or Relevant and Appropriate Requirements

On November 2, 2007, U.S. EPA sent a letter to Bruce Everetts with the Illinois EPA, requesting State applicable or relevant and appropriate requirements (ARARs). U.S. EPA will comply with any state ARARs identified in a timely

manner for this removal action to the extent practicable.
Federal and State ARARs identified for the Site:

- RCRA waste characterization and disposal requirements.

VI. EXPECTED CHANGE IN THE SITUATIONS SHOULD ACTION BE DELAYED OR NOT TAKEN

Given the Site conditions, the nature of the hazardous substances documented on-site, and the potential exposure pathways to nearby populations described in Sections II and II above, actual or threatened release of hazardous substances from the Site, if not addressed by implementing the response actions selected in this Action Memorandum, would present an imminent and substantial endangerment to public health, welfare, or the environment.

VII. OUTSTANDING POLICY ISSUES

There are no outstanding policy issues associated with this Site. The removal action is not precedent setting because asbestos is not a principal contaminant of concern.

VIII. ENFORCEMENT

The total U.S. EPA costs for this removal action based on full cost-accounting practices that will be eligible for cost recover are estimated to be \$ 82,400. ¹

$$(\$ 49,881 + \$ 5,000) + (52.57\% \times \$ 54,881) = \$ 83,732$$

For administrative purposes, information concerning the enforcement strategy for this site is contained in the Enforcement Confidential Addendum.

¹ Direct Costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2000. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Greenwood Avenue Site in Chicago, Illinois, developed in accordance with CERCLA as amended, and not inconsistent with the NCP. This decision was based on the administrative record for the Site. Conditions at the Site met the NCP section 300.415 (b) (2) criteria for a time-critical removal action and I recommend your approval of the removal action.

The total removal action project ceiling if approved will be \$ 49,881. Of this, an estimated \$ 43,125 may be used for cleanup contractor costs. You may indicate your decision by signing below.

APPROVE: JO - GJ - FULN DATE: 11-9-07
Chief, Emergency Response Branch 2

DISAPPROVE: _____ DATE: _____
Chief, Emergency Response Branch 2

Enforcement Addendum

Attachments

1. Administrative Record Index
2. Environmental Justice Analysis
3. Detailed Cleanup Contractor Cost Estimate
4. Independent Government Cost Analysis

CC:

- D. Chung, U.S. EPA, HQ
- M. Chezick, U.S. DOI, w/o Enf. Addendum
- C. Lipman, Chicago DOE, w/o Enf. Addendum
- B. Everetts, Illinois EPA, w/o Enf. Addendum

BCC PAGE

(REDACTED 1 PAGE)

NOT RELEVANT TO THE SELECTION OF THE REMOVAL ACTION

**ENFORCEMENT ADDENDUM
GREENWOOD AVENUE SITE
CHICAGO, COOK COUNTY, ILLINOIS
NOVEMBER 2007**

(REDACTED 3 PAGES)

**ENFORCEMENT CONFIDENTIAL
NOT SUBJECT TO DISCOVERY**



ATTACHMENT 1

U.S. ENVIRONMENTAL PROTECTION AGENCY REMOVAL ACTION

ADMINISTRATIVE RECORD FOR GREENWOOD AVENUE SITE CHICAGO, COOK COUNTY, ILLINOIS

ORIGINAL
NOVEMBER 2, 2007

<u>NO.</u>	<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
1	04/10/07	Schnoes, K., City of Chicago/ Department of Environment	Harris, M., U.S. EPA	Letter re: Chicago DOE Request for U.S. EPA to Conduct a Time Critical Removal Assess- ment and Possible Removal Action at the Greenwood Avenue Site w/ Attachments	33
2	10/26/07	Weston Solutions, Inc.	U.S. EPA	Site Assessment Report for the South Greenwood Site	133
3	11/02/07	Ribordy, M., U.S. EPA	Everetts, B., Illinois EPA	Letter re: U.S. EPA Request for State ARARs for the Greenwood Avenue Site	2
4	00/00/00	Ribordy, M., U.S. EPA	Nachowicz, L., U.S. EPA	Action Memorandum: Request for a Time- Critical Removal Action at the Greenwood Avenue Site (PENDING)	

ATTACHMENT 2

REGION 5 SUPERFUND
ENVIRONMENTAL JUSTICE ANALYSIS

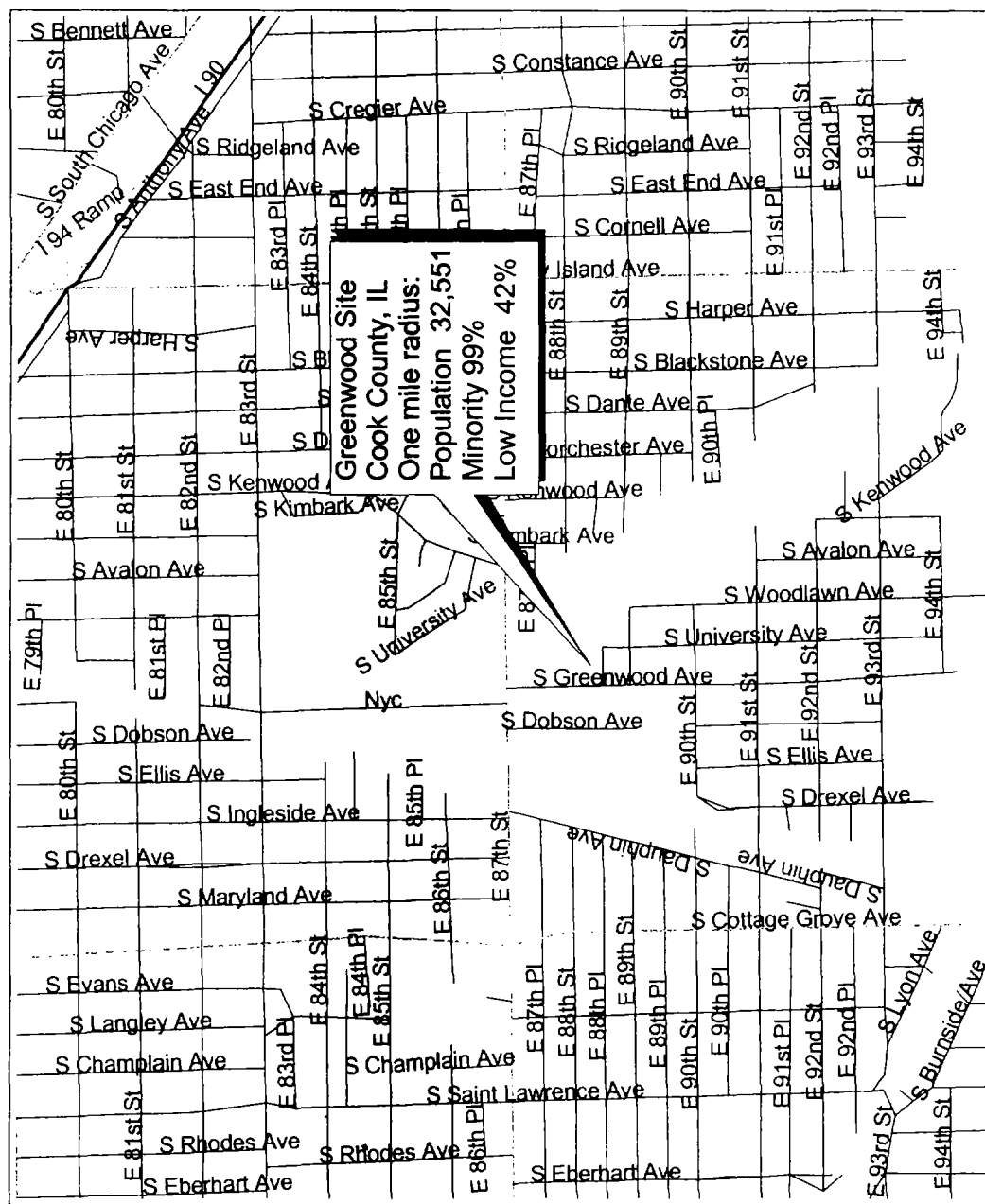
Region 5 Superfund EJ Analysis

Greenwood Site Chicago, IL

State of Illinois averages:
 Minority: 32%
 Low Income: 27%

U.S. EPA Region 5
 Environmental Justice Case Criteria
 for State of Illinois

Minority: 64% or greater
 Low Income: 54% or greater



0 0.4 0.8 1.2 1.6 2 Miles

Date of Map: 8/27/07

Source of Map: Census 2000 Database/
 ArcView 3.0

ATTACHMENT 3

**DETAILED CLEANUP CONTRACTOR AND START ESTIMATE
GREENWOOD AVENUE SITE
CHICAGO, ILLINOIS
OCTOBER 2007**

The estimated cleanup contractor costs necessary to complete the removal action at the Greenwood Avenue Site are as follows:

CONTRACTOR ESTIMATE

Personnel	\$ 12,500
Equipment	\$ 5,000
Transportation and Disposal	\$ 20,000
	=====
Sub-Total	\$ 37,500
15% Contingency	\$ 5,625
Total	\$ 43,125

START ESTIMATE

5 work days (60 hrs@ \$75/hr.)	\$ 4,500
Report writing 15 hrs	\$ 1,125
Equipment	\$ 250
	=====
Sub-Total	\$ 5,875
15% Contingency	\$ 881
Total	\$ 6,756

ATTACHMENT 4

**INDEPENDENT GOVERNMENT COST ESTIMATE
GREENWOOD AVENUE SITE
CHICAGO, COOK COUNTY, ILLINOIS**

(REDACTED 1 PAGE)

**ENFORCEMENT CONFIDENTIAL
NOT RELEVANT TO THE SELECTION OF THE REMOVAL ACTION**